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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LATONIA SMITH,

Plaintiff(s),

-VS-

FENNEMORE CRAIG,

Defendant(s).

Case No.: 2:19-cv-00824-GMN-EJY

**FENNEMORE CRAIG’S RESPONSE  
TO PLAINTIFF’S SECOND MOTION  
TO VACATE ORDER OF  
MAGISTRATE JUDGE AND LIFT  
STAY [ECF NOS. 74, 75]**

Defendant Fennemore Craig (“Fennemore”), by and through its counsel of record, Snell & Wilmer L.L.P., hereby submits its Response to Plaintiff Latonia Smith’s (“Ms. Smith”) Second Motion to Vacate Order of Magistrate Judge and Lift Stay [ECF Nos. 74, 75]. This Response is based upon the following memorandum of points and authorities, the pleadings and papers on file in this action, and any oral arguments the Court may entertain.

**MEMORANDUM OF POINTS AND AUTHORITIES**

On October 7, 2019, Ms. Smith twice filed an “Emergency Motion to Vacate Order of Magistrate Judge and Lift Stay”; once as a Motion to Vacate [ECF No. 70], and once as a Motion to Lift Stay [ECF No. 71]. The substance of the filings appears to be identical. *See id.* On October 11, 2019, the Court entered a Minute Order denying Ms. Smith’s Motion to Vacate [ECF No. 70], finding that “Judge Youchah did not abuse her discretion in granting the Order to Stay Discovery.” ECF No. 73. Ms. Smith then re-filed her Motions with additional commentary that does not require further response. *See* ECF Nos. 74, 75.

The Court should deny Ms. Smith’s Second Motion to Vacate and Lift Stay for the same reasons set forth in Judge Navarro’s Order denying Ms. Smith’s first Motion to Vacate. *See* ECF No. 73. Fennemore incorporates by this reference its underlying Motion to Stay [ECF Nos. 19, 34] and Judge Youchah’s Order Granting the same [ECF No. 67].

Dated: October 29, 2019.

SNELL & WILMER L.L.P.

By: /s/ Michael Paretti

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**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **FENNEMORE CRAIG'S RESPONSE TO PLAINTIFF'S SECOND MOTION TO VACATE ORDER OF MAGISTRATE JUDGE AND LIFT STAY** by method indicated below:

☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).

☒ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.

Latonia Smith (*in Pro Per*)  
9748 Canyon Landing Ave.  
Las Vegas, NV 89166  
Tel: (725) 203-2455 or (702) 521-3522

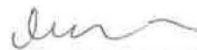
☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.

☐ **BY PERSONAL DELIVERY:** by causing personal delivery by, a messenger service with which this firm maintains an account, of the document(s) listed above to the person(s) at the address(es) set forth below.

☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

☐ **BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

DATED this 29th day of October, 2019.



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An employee of SNELL & WILMER L.L.P.